

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

THERESA LEININGER on behalf of herself  
and all others similarly situated;

Plaintiff,

vs.

MAMMOTH TECH, INC;

Defendant.

Case No.: 3:22-cv-00394-JZ

JUDGE JACK ZOUHARY

**DECLARATION OF JEFFREY C. MILLER IN SUPPORT OF ENTRY OF  
DEFAULT AND DEFAULT JUDGEMENT**

Jeffrey C. Miller, pursuant to 28 U.S.C. §1746 declares the following:

1. My name is Jeffrey C. Miller. I am over the age of 18, of sound mind, never been convicted of a felony and capable of making this affidavit, and personally acquainted with the facts stated herein.

2. I am the local counsel for Theresa Leininger on behalf of herself and all others similarly situated (hereinafter "Plaintiff") in this matter against Defendant mammoth Tech, Inc. ("Defendant") and I submit this declaration pursuant to Fed. R. Civ. P.55(a) and (b) in support of the Clerk's entry of default and default judgment.

3. The Plaintiffs are seeking default judgment against Defendant.

4. Defendant was an Ohio corporation at all relevant times in this matter.

5. Defendant has not entered an appearance, answered, nor responded in any way to the allegations as set forth in the Plaintiffs' Complaint which was served upon them on March 19, 2022, via certified mail (Exhibit A).

6. The Proof of service (see Exhibit A) confirms that Defendant was properly served with the summons and complaint on March 19, 2022

7. Upon information and belief, Defendant is neither an infant nor an incompetent.

8. Upon information and belief, Defendant is not a member of the military.

9. The Plaintiffs are seeking a hearing on damages as well as damage categories (after some limited time for discovery) due to the complexities of the class action nature of this matter.

I declare under penalty of perjury under the laws of the State of Ohio that the foregoing is true and accurate.

**Brennan, Manna & Diamond, LLC**

/s/ Jeffrey C. Miller  
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